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CHIEF PATENT COUNSEL
SMITH & NEPHEW, INC.
1450 BROOKS ROAD
MEMPHIS, TN 38116

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OFFICE OF PETITIONS

In re Application of :
A.C. Nicol et al :
Application No. 10/022,663 : DECISION GRANTING PETITION
Filed: December 17, 2001 : UNDER 37 CFR 1.137(b)
Attorney Docket No. 10557/263318 :

This is a decision on the petition under 37 CFR 1.137(b), filed June 23, 2004, to revive the above-identified application.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to reply in a timely manner to the nonfinal Office action mailed October 9, 2003, which set a shortened statutory period for reply of three (3) months. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the above-identified application became abandoned on January 10, 2004. A Notice of Abandonment was mailed on May 14, 2004.

The petition satisfies the conditions for revival pursuant to the provisions of 37 CFR 1.137(b) in that (1) the reply to the nonfinal Office action of October 9, 2003; (2) the petition fee; and (3) the required statement of unintentional delay have been received. Accordingly, the reply is accepted as having been unintentionally delayed.

Telephone inquiries concerning this decision should be directed to the undersigned at (703) 305-8680.

The application file is being forwarded to Technology Center AU 3732 for appropriate action on the reply received June 23, 2004.



Frances Hicks
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy